

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

**Chittoor District** – Revision Petition filed by Sri V.S. Prakash S/o V.S. Ramulu R/o Ramanaidukandriga Village, Ramachandrapuram Mandal, Chittoor District, against the orders of the Commissioner of Appeals, Office of the Chief Commissioner of Land Administration, Hyderabad vide proceeding. No.BCW.3/257/2003, dated.20-6-2005 – Revision Petition dismissed - Orders – Issued.

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**REVENUE (ASSN.IV) DEPARTMENT**

**G.O.Ms.No. 818**

**Dated: 06-08-2009.**

**Read the following:-**

- 1) From the Commissioner of Appeals Office of the Chief Commissioner of Land Administration, Hyderabad Proceeding No.BCW.3/257/2003, dated.20-6-2005.
- 2) Revision Petition filed by Sri V.S.Prakash S/o V.S. Ramulu R/o Ramanaidu Kandriga, Village, Ramachandrapuram Mandal, Chittoor District, dated.24-8-2005.
- 3) Govt. Memo.No.47517/Assn.IV(2)/2005-1, dated.6-10-2005.
- 4) From the District Collector, Chittoor Lr.Roc.No.E2/9229/2005, Dt.15-11-2005.
- 5) From the Spl. Chief Secretary and Chief Commissioner of Land Administration, Hyderabad Lr.No.Spl.B3/1889/2005, dated. 30-11-2005.
- 6) From the Tahsildar, Ramachandrapuram Mandal, Chittoor District Lr.Roc.A/528/98, Dt. 23-01-2009.

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**ORDER:-**

In the reference 1<sup>st</sup> read above, the Commissioner of Appeals, Office of the Chief Commissioner of Land Administration, Hyderabad has reported that one Sri B. Mogiliaiah and other Harijans of Mitta Kandriga have applied for assignment of land in Sy.No. 390/6 of Rayalacheruvu Village of Ramachandrapuram Mandal. During the enquiry the MRO. Ramachandrapuram Mandal, has found that as per DKT register the land in Sy.No. 390/9 and 10 admeasuring an extent of Acs. 4.96 Cts was assigned in favour of Sri V.S. Prakash S/o V.S. Ramulu vide DKT.No.144/4/1395 dated. 23-5-1986, that the assignee never cultivated the land from the date of assignment and the land is under enjoyment of the petitioner since issue of patta and the land is laying waste. The MRO. has issued notice for cancellation of the said assignment land vide Roc.B/528/98, dated. 24-6-1998, as the assignee is not resident of the village and not residing in the village where the lands are situated or its surrounding villages. Further his name was not enrolled in voter list and no ration card was issued to the petitioner. Subsequently, further notice was issued by the MRO., for cancellation of the assignment made in favour of Revision Petitioner under violation of conditions of DKT patta vide proceeding.No.B/528/98, Dated. 1-08-1998. The MRO., issued A1 notice on 6-8-1998 for assigning the above lands to the eligible landless poor persons. As no objections were received, the land was assigned to S.C. beneficiaries (i.e. Smt. K. Ranemma and (2) others) of the villages vide DKT.No. 7/4/408, dated. 26-8-1998.

**(P.T.O.)**

2. Aggrieved by the orders passed by the MRO., Sri V.S.Prakash S/o V. S. Ramulu filed an appeal before the RDO., Chittoor . The RDO., Chittoor in his proceeding No.D.Dis.M/3129/98, dated. 4-10-2000 has dismissed the appeal. The petitioner has filed a revision petition before the Joint Collector, Chittoor and the Joint Collector, after perusal of connected records and hearing of the arguments of the counsel, observed that as seen from the records of RDO., Chittoor, the land is not reserved for assignment to ex-servicemen and the assigned land, which was made in the year 1986, the Revision Petitioner never cultivated the land upto 1998 and hence passed orders confirming the orders passed by the MRO., Ramachandrapuram Mandal deleting the entries made in favour of the Revision Petitioner in the village accounts and the said land was resumed by the Government.

3. Aggrieved by the orders passed by the Joint Collector, Appeal petition was filed before the Commissioner of Appeals, Office of the Chief Commissioner of Land Administration, Hyderabad, Smt. K. Ranemma and others have filed an impleading petition. The petitioner filed W.P., and obtained orders for maintenance of status quo as on the day from the Hon`ble High Court of A.P., till the disposal of the petition pending before the Commissioner of Appeals O/o Chief Commissioner of Land Administration, Hyderabad. The Appeal was dismissed by the Commissioner of Appeals as extracted below:-

“The land in question was given in patta in favour of the petitioner herein, there was no cultivation since the issue of patta. The land is not under the possession and enjoyment by the petitioner since the issue of patta. The land is laying waste. Thus, the assignee violated the conditions of DKT Patta by not bringing the land under cultivation within three years from the date of grant of DKT patta. Further more, the petitioner was not residing in the village where the land is located. His name was not enrolled in voters list and no ration card was issued in his favour. In the circumstances the MRO has resumed the land to Govt. after notice and re-assigned to S.Cs of the village. The RDO., Chittoor and the Joint Collector, Chittoor have confirmed the orders of the MRO., Therefore, the reason to interfere with the orders of Joint Collector, Chittoor passed in his proceedings D.Dis., (E2)/15345/2000, dt. 24-4-2003. The appeal is accordingly dismissed. The status quo granted by the Hon`ble High Court is to be interpreted accordingly”.

4. Aggrieved by the orders of Commissioner of Appeals, in the reference 2<sup>nd</sup> read above, Sri V.S. Prakash S/o V. S. Ramulu, R/o Ramanaidukandriga Village, Ramachandrapuram Mandal, Chittoor District has filed Revision petition before the Government against the orders passed by the Commissioner of Appeals, Office of the Chief Commissioner of Land Administration, Hyderabad vide Proceeding.No.BCW.3/257/2003, dated. 20-6-2005.

5. The above case was called by the Government on 6-10-2005 and subsequently the case was heard on 24-5-2008, 18-10-2008, 29-11-2008 and finally on 17-1-2009. The Advocate for the petitioner and the official respondent i.e. Tahsildar, Ramachandrapuram Mandal, Chittoor District were present. The Tahsildar, Ramachandrapuram Mandal was directed to inspect the subject lands personally and furnish his report to Government. The Tahsildar, Ramachandrapuram Mandal, Chittoor District has inspected the said lands and furnished his inspection report on 23-1-2009 to Government. It was reported that the subject land in Sy.No. 390/9 and 390/10 admeasuring an extent of Acs. 1.76 and Acs. 3.20 was assigned in favour of Sri V.S. Prakash S/o V. S. Ramulu, vide DKT.No.144/4/1395, Dt.23-5-1986. The assignee has not cultivated the land from the date of assignment and the land was resumed and re-assigned to the following S.C. beneficiaries of the village which are as follows:-

**(Contd.... on 3<sup>rd</sup> Page)**

Sl.No.	Name of the DKT Pattadar and address	DKT No. and Date	Sy.No. and Sub-Division No.	Extent
1.	B. Jayamma W/o Subbaiah Kuppam Badur H.W.	3/4/1408, dt. 26-8-1998	390/17	Ac. 1.60
2.	K. Ranemma W/o Rajaiah Kuppam Badur H.W.	4/4/1408, dt. 26-8-1998	390/10	Ac.1.60
3.	K. Chengamma W/o Kailasam Krishnaiah Paramala H.W.	7/4/1408, dt.26-8-1998	390/9	Ac.1.76
			Total:	Ac. 4.96

6. This authority considering all the facts and after careful examination of the matter hereby order that the action taken by the Tahsildar, Ramachandrapuram Mandal, Chittoor District in resuming the assigned land from Sri V.S. Prakash S/o V. S. Ramulu and for violation of the DKT conditions, is in accordance with the rules. This authority also order that there is no need to interfere with the orders passed by the Commissioner of Appeals, Office of the Chief Commissioner of Land Administration, Hyderabad in proceedings. No. BCW.3/257/2003, dated. 20-6-2005. Accordingly the R.P. filed by the petitioner is dismissed.

7. The District Collector, Chittoor shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**RAJESHWAR TIWARI,  
SECRETARY TO GOVERNMENT**

**To**

Sri V.S. Prakash S/O V Sreeramulu,  
Aged about 52 years Occ: Cultivation,  
R/o Ramanaidu Kandriga,  
Ramachandrapuram Mandal Chittoor District.  
The Commissioner of Appeals,  
Office of the Chief Commissioner of Land Administration, A.P. Hyderabad.  
The Joint Collector, Chittoor District.  
The Mandal Revenue Officer, Ramachandrapuram Mandal, Chittoor District.  
M/s B. Papa Reddy, A. Chakravarthy, C.Mahender Reddy, Advocates,  
7-62, Plot No.-1, Jai Santosh Nagar Colony, Street No.8, Habsiguda, Hyd-7  
The P.S. to Minister (Revenue)  
The P.S. to Secretary (Revenue)  
SF / SC

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**